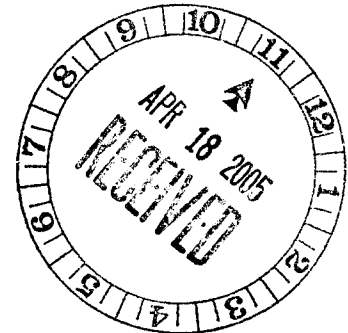


LAW OFFICE  
**THOMAS F. MCFARLAND, P.C.**  
208 SOUTH LASALLE STREET - SUITE 1890  
CHICAGO, ILLINOIS 60604-1112  
TELEPHONE (312) 236-0204  
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ORIGINAL

21 3790



THOMAS F. MCFARLAND

April 13, 2005

Vernon A. Williams, Secretary  
Surface Transportation Board  
Case Control Unit, Suite 713  
1925 K Street, N.W.  
Washington, DC 20423-0001

Re: STB Docket No. AB-914X, *McCloud Railway Company -- Abandonment and  
Discontinuance of Service Exemption -- Entire Rail Line in Siskiyou, Shasta and  
Modoc Counties, CA*

Dear Mr. Williams:

Hereby transmitted for filing with the Board are the original and 10 copies of an historic comment in behalf of the California Office of Historic Preservation, Department of Parks and Recreation. The Draft Environmental and Historic Report in this matter was furnished to the SEA on March 8, 2005. A Petition for Exemption of the proposed abandonment has not yet been filed.

Very truly yours,

*Tom McFarland*

Thomas F. McFarland  
*Attorney for McCloud  
Railway Company*

RECEIVED  
Office of Proceedings

APR 18 2005

Part of  
public record

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cc: Ms. Victoria Rutson ) *w/copy of comment*  
Mr. Jeff Forbis )

**OFFICE OF HISTORIC PRESERVATION  
DEPARTMENT OF PARKS AND RECREATION**

P.O. BOX 942896  
SACRAMENTO, CA 94296-0001  
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**RECEIVED**



**McFarland, P.C.**

April 7, 2005

REPLY TO: STB050310A

Thomas F. McFarland, P.C.  
208 South Ls Salle Street - Suite 1890  
Chicago, IL 60604-0204

Re: STB Docket No. AB-914X, *McCloud Railway Company—Abandonment and Discontinuance of Service Exemption—Entire Rail Line in Siskiyou, Shasta, and Modoc Counties, CA*

Dear Mr. McFarland:

Thank you for submitting to our office your March 8, 2005 letter initiating consultation on the above referenced undertaking. You are consulting with me in accordance with 36 CFR Part 800, regulations implementing Section 106 of the National Historic Preservation Act. The McCloud Railway Company (MCR) proposes to abandon 100 miles of the McCloud Railway. A 15-mile segment between Mt. Shasta and McCloud will be reclassified as industrial tract for continued rail use after abandonment.

You have supplied me with a Draft Environmental and Historic Report (Report) describing the proposed action and the environmental and historic effects. This document includes letters, topographic maps delineating the Area of Potential Effects, photographs of bridges, and an article from the July 2004 issue of *The Short Line* that describes the history of the McCloud River Railroad.

I have reviewed the supplied documentation and have the following comments. In order that you can identify historic properties within the area of your undertaking, I suggest that you perform the following tasks.

1. ***Establish an Area of Potential Effects*** – 36 CFR Part 800.4 (a)(1) requires that the Agency Official consult with the State Historic Preservation Officer to “determine and document the Area of Potential Effects (APE), as defined in Section 800.16(d).” I assume Appendix 8 (page 1-25) is the APE. Please provide one map that clearly shows the relation of the 25 maps or depicts the APE in its entirety.
2. ***Level of effort – Historic Property Identification Effort*** – I recommend that the applicants begin their identification efforts by contacting the Northeast Information Center at California State University, Chico (530)898-6256. This office of the California Historical Resources Information System maintains the archive of identified properties, investigation reports, and other related materials for Modoc, Shasta, and Siskiyou Counties.

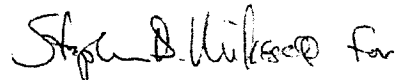
In addition, we have found no indication that a field survey has been conducted of the APE for this undertaking. Given the nature of the undertaking, degree of Federal involvement, the potential effects on historic properties and the likely nature and location of historic properties within the APE, we recommend that the MCR identify and provide information on any historic properties that may be affected by the project and gather sufficient information to evaluate the eligibility of these properties for the National Register of Historic Places (NRHP). This would include evaluating the NRHP significance of all areas within the APE including the 15-mile segment that will be reclassified as industrial track. The Secretary's standards and guidelines for identification efforts provide guidance on this subject as found at [http://www.cr.nps.gov/local-law/arch\\_stnds\\_0.htm](http://www.cr.nps.gov/local-law/arch_stnds_0.htm).

A review of our records shows that the main line of the McCloud Railway has been recently determined to be eligible for the NRHP and this information has not yet gotten to the Northeast Information Center. Your qualified professional will need to contact our office to get specific information.

3. ***Native American Consultation*** – We also recommend that MCR make a reasonable and good faith effort to identify and consult with the Native American Heritage Commission and any Indian tribe(s) that might attach religious and cultural significance to historic properties in the APE and that documentation of these results be supplied as part of the consultation effort with us.

Once these items are submitted to me, I can continue to comment on your efforts to take into account the effects of the undertaking on historic properties. I look forward concluding our consultation as soon as possible. If you have any questions about my comments, please contact staff archaeologist Julia Huddleson at (916) 651-6956 or at [jhudd@ohp.parks.ca.gov](mailto:jhudd@ohp.parks.ca.gov).

Sincerely,

A handwritten signature in dark ink, appearing to read "Milford Wayne Donaldson".

Milford Wayne Donaldson, FAIA  
State Historic Preservation Officer